

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

**Nos. 4:12-cr-246-DPM-7
4:12-cr-246-DPM-24**

MISTY POLSTON and GLEN BARSHAW

DEFENDANTS

ORDER

For the reasons stated on the record at the end of the 10 June 2013 hearing, the Court modifies Glen Barshaw's conditions of release as follows. Barshaw will be confined to his home until the Probation Office has arranged to monitor Barshaw's location electronically. When those arrangements are finished, he may leave his home only to go to work or another location approved by the Probation Office. The United States Probation Office should drug test Barshaw randomly and frequently.

The Probation Office needs time to confirm Barshaw's positive drug test. The Court cannot accept Barshaw's proposed plea without knowing his competence to enter the plea and whether he used drugs recently. Considering all material circumstances, the Court finds that the ends of justice

are best served by continuing the 10 June 2013 trial date. The interest in finalizing plea negotiations outweighs both Barshaw's interest and the public's interest in a speedy trial. The Court therefore grants Barshaw's unopposed oral motion to briefly continue the trial date. The period of delay occasioned by this continuance is excluded as to Barshaw under 18 U.S.C. § 3161(h)(7)(A) & (B), a provision of the Speedy Trial Act.

All defendants who have been brought before the Court, except Barshaw and Misty Polston, have either pleaded guilty or been dismissed. Polston has not moved for a severance. Trial for Barshaw and Polston is reset for 28 June 2013 at 9:30 a.m. The period of delay occasioned by granting this continuance is excluded for Polston under 18 U.S.C. § 3161(h)(6).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

10 June 2013